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# General Assembly

Official Records

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65th plenary meeting
Tuesday, 5 December 2006, 3 p.m.
New York

*President:* Ms. Al-Khalifa ..... (Bahrain)

*In the absence of the President, Mrs. Mladineo (Croatia), Vice-President, took the Chair.*

*The meeting was called to order at 3.20 p.m.*

**Agenda item 108 (*continued*)**

**Cooperation between the United Nations and regional and other organizations**

**(c) Cooperation between the United Nations and the Association of Southeast Asian Nations**

**Draft resolution A/61/L.13)**

**(e) Cooperation between the United Nations and the Caribbean Community**

**Draft resolution (A/61/L.29)**

**(q) Cooperation between the United Nations and the Organization of the Islamic Conference**

**Draft resolution (A/61/L.26)**

**(r) Cooperation between the United Nations and the Pacific Islands Forum**

**Draft resolution (A/61/L.20/Rev.1)**

**(s) Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization**

**Draft resolution (A/61/L.18)**

**(t) Cooperation between the United Nations and the Southern African Development Community**

**Draft resolution (A/61/L.37)**

**The Acting President**: I now give the floor to the representative of Ukraine, who will introduce draft resolution A/61/L.18.

**Mr. Onishenko** (Ukraine): The delegation of Ukraine, in its capacity as Chair of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO), would like to introduce a draft resolution entitled "Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban-Treaty Organization", which is contained in document A/61/L.18.

The latest developments in the field of non-proliferation represent a tough challenge for the Preparatory Commission for the CTBTO, an accredited international body in this sphere, and for its evolving monitoring and verification machinery. Recent events have renewed the increased attention of the world community to the role of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) in nuclear disarmament and the prevention of nuclear weapons proliferation, which remains one of the most important challenges facing humankind today.

Ukraine, which has made a crucial contribution to achieving this goal, was among the very first nations to sign and ratify the CTBT, and we implement our obligations and commitments under the global non-proliferation regime. Therefore, we feel a special

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responsibility in this respect and steadfastly support the efforts of our other partners and the CTBTO Preparatory Commission in promoting the Treaty.

In this regard, we welcome the recent ratification of the Treaty by new States parties and call on other States to follow that lead. We also appreciate the work of the Preparatory Commission for the CTBTO and its activities, its Executive Secretary and all the relevant efforts of the Provisional Technical Secretariat. We call on all delegations to support the draft resolution.

**The Acting President**: I now give the floor to the representative of Fiji, who will introduce draft resolution A/61/L.20/Rev.1.

**Mr. Kau** (Fiji): As Chair of the Pacific Islands Forum group of countries here in New York — namely, Australia, the Federated States of Micronesia, Nauru, New Zealand, Palau, Papua New Guinea, the Republic of the Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu and my own country, Fiji — I have the honour to introduce draft resolution A/61/L.20/Rev.1, entitled "Cooperation between the United Nations and the Pacific Islands Forum", under agenda item 108 (r).

Too often, the issues affecting the Pacific island countries are not on the radar screen of the United Nations. I must bear testimony to this Assembly that we do have serious issues affecting the people of the Pacific region. Such issues include the eradication of poverty, the struggle against the HIV/AIDS pandemic, coping with the adverse effects of environmental degradation, the attainment of the Millennium Development Goals (MDGs), the maintenance of peace and security and other challenges presented by our particular vulnerabilities.

Efforts to achieve economic growth, attracting trade and investment, protecting our rich fisheries and marine resources and the attainment of sustainable development goals are also challenges facing the countries of the region. Difficulties in addressing these and other important issues are compounded by a lack of technical expertise, institutional and administrative capacity, as well as financial and other resource constraints.

This is no exaggeration, as we heard from the United Nations Development Programme Administrator, Mr. Kemal Dervis, last Monday, 27 November 2006, during the General Assembly's informal thematic debate on the Millennium Development Goals: "The biggest problems on the road to the MDGs are experienced in sub-Saharan Africa and Oceania where, on current trends, none of the goals are likely to be met, on average".

This situation is of extreme concern to the Pacific island countries. We must avoid the business-as-usual approach and scale up efforts by undertaking concrete actions that pave the way for Pacific island countries to achieve the MDGs.

The Pacific island countries are committed individually and collectively as a region to addressing these important issues. In the area of peace and security, our collective desire to deal with important issues affecting countries in the region has been manifested in the restoration of peace and normalcy on the island of Bougainville, in Papua New Guinea, and in our collective efforts in support of the consolidation of law and order, the revitalization of the economy and the strengthening of the Government machinery in Solomon Islands.

Regional mechanisms are also put in place to pursue issues of collective interests to countries of the region. Regional organizations, such as the Pacific Islands Forum Secretariat, the Forum Fisheries Agency, the Secretariat of the Pacific Community, the South Pacific Applied Geoscience Commission and the South Pacific Regional Environment Programme, support Pacific island countries in addressing their specific environments, sustainable development, economic growth, governance and peace and security needs.

An important vehicle for regional cooperation in addressing the aforementioned issues is the Pacific Plan, which is the overarching framework for collaboration and cooperation among Pacific Islands Forum countries in the areas of security, good governance, economic growth and sustainable development in the region. At the recently concluded 37th Pacific Islands Forum meeting, held in Nadi, Fiji, from 24 to 25 October 2006, Forum leaders made important decisions to undertake concrete actions to advance the implementation of the Pacific Plan. Such critical efforts require the support of the United Nations and other development partners.

With the challenges facing the Pacific Island countries, we count on the valuable support of the United Nations system in addressing these issues. In this context, we fully support the ongoing collaboration

between the United Nations and the Pacific Islands Forum. I wish particularly to note the efforts of the United Nations Secretary-General in instituting regular consultations with regional organizations; these have been vital for fostering closer partnership in vital strategic areas.

The draft resolution is aimed at enhancing cooperation between the two organizations in addressing issues affecting individual countries, the Pacific region and the international community at large. Further, it reflects priority areas of concern and challenges facing the countries of the region, which can be addressed in partnership with and with the support of the international community, including the United Nations system and other relevant stakeholders.

Issues reflected in the draft resolution requiring collaboration between the United Nations and the Pacific Islands Forum include: combating the HIV/AIDS pandemic and addressing related issues; achieving the Millennium Development Goals by 2015 and implementing other important instruments, such as the Johannesburg Plan of Implementation and the Mauritius Strategy; combating international global terrorism through, inter alia, the implementation of the United Nations Global Counter-Terrorism Strategy; maintaining international peace and security, including through conflict prevention and peacebuilding activities; combating the illicit trade in small arms and light weapons through, inter alia, implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects; implementing the Secretary-General's decision to establish an expanded and joint in-country presence of the United Nations in Kiribati, the Marshall Islands, the Federated States of Micronesia, Nauru, Palau, Solomon Islands, Tuvalu and Vanuatu; and supporting initiatives to enhance South-South cooperation among Pacific island countries and with other developing countries.

At this juncture, I must express our profound gratitude and appreciation to the countries that have joined the Pacific Islands Forum Group in sponsoring the draft resolution, namely, Armenia, Australia, Bangladesh, Cambodia, Cape Verde, Chile, Croatia, the Czech Republic, the Democratic Republic of the Congo, Grenada, Guatemala, Haiti, India, Indonesia, Israel, the Philippines, Romania, Saint Lucia, Singapore, Sri Lanka, Thailand, Timor-Leste, Ukraine, the United States of America and the Bolivarian Republic of Venezuela. We believe that the adoption of the draft resolution by the General Assembly would undoubtedly strengthen the ongoing collaboration and cooperation between the United Nations and the Pacific Islands Forum. I would therefore urge all Members of the United Nations to show solidarity with the Pacific Islands Forum Group in demonstrating unanimous support for the adoption of this draft resolution.

**The Acting President**: I now give the floor to the representative of Saint Vincent and the Grenadines to introduce draft resolution A/61/L.29.

**Mrs. Ferrari** (Saint Vincent and the Grenadines): I have the honour to introduce, for the consideration of the General Assembly, the draft resolution entitled "Cooperation between the United Nations and the Caribbean Community", which is before the Assembly in document A/61/L.29. I do so on behalf of the following sponsors: Antigua and Barbuda, the Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Suriname, Trinidad and Tobago and my own country, Saint Vincent and the Grenadines.

We thank the Secretary-General for his report regarding cooperation between the United Nations and regional and other organizations (A/61/256), in particular section IV thereof, pertaining to the Caribbean Community (CARICOM), which was prepared pursuant to paragraph 10 of resolution 59/138 of 10 December 2004. The report outlines various aspects of cooperation between the secretariats of the United Nations and CARICOM, which involves an active process of consultation and exchange of information. That cooperation is important to the economic and social development of the Caribbean subregion.

In its preambular section, the draft resolution stresses the importance of regional organizations in furthering the role of the United Nations in the maintenance of peace and security, within the context of Chapter VIII of the United Nations Charter. It draws attention to two initiatives of particular interest to the Caribbean Community: first, the importance of adopting an integrated management approach to the Caribbean Sea area in the context of sustainable development; and secondly, the necessity of implementing the Barbados Programme of Action on small island developing States. It notes the unique

vulnerability of the Caribbean region to devastating hazards and reaffirms the need to strengthen existing cooperation in areas related to economic and social development, particularly HIV/AIDS, comprehensive disaster management and climate change.

In its operative section, the draft resolution takes note of the Secretary-General's report and encourages him, in association with the CARICOM Secretary-General, to continue to assist in furthering the development and maintenance of peace and security within the Caribbean region. It urges the specialized agencies and other United Nations organizations and programmes to cooperate in order to initiate, maintain and increase consultations and programmes with the Caribbean Community and its associated institutions in the attainment of their objectives.

The draft resolution invites the organizations of the United Nations system, as well as Member States, to increase financial and other assistance to Caribbean countries to help to implement the priorities of the Caribbean Regional Strategic Framework, particularly with regard to HIV/AIDS. It calls upon the United Nations, the specialized agencies and other organizations of the United Nations system to assist the countries of the region in addressing the social and economic consequences of the vulnerability of Caribbean economies. It reaffirms the objective of strengthening the implementation of the Mauritius Strategy and welcomes the initiatives of Member States in assisting in the cooperation between the United Nations and the Caribbean Community.

The draft resolution recommends that the fourth general meeting between representatives of the two organizations be held in the Caribbean area in early 2007 in order to review and appraise progress in the implementation of the agreed areas and issues. Finally, it requests the Secretary-General to submit a report to the General Assembly at its sixty-third session and decides to include an item on the subject in the provisional agenda of that session.

The purpose of the draft resolution is to seek further to develop the process of cooperation and collaboration between the United Nations system and the Caribbean Community. We believe that that goal will attract wide and generous support in the General Assembly.

In that connection, I would like to thank the following countries, which have become sponsors of the draft resolution: Comoros, Cuba, Ecuador, Ethiopia, Fiji, Honduras, Liberia, Nicaragua, Papua New Guinea, the Philippines, Samoa, Thailand, Tuvalu, Zambia and Zimbabwe. The sponsors hope that, as with similar texts in previous years, the draft resolution can be adopted by consensus.

**The Acting President**: I now give the floor to the representative of Lesotho to introduce draft resolution A/61/L.37.

**Mr. Maema** (Lesotho): On behalf of the States members of the Southern African Development Community (SADC), namely, Angola, Botswana, the Democratic Republic of the Congo, Madagascar, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia, Zimbabwe and my own country, Lesotho, I have the honour to introduce draft resolution A/61/L.37, entitled "Cooperation between the United Nations and the Southern African Development Community", under sub-item (t) of agenda item 108, "Cooperation between the United Nations and regional and other organizations".

First of all, on behalf of the Southern African Development Community (SADC), let me express our sincere appreciation to all the delegations that participated in the informal consultations on the draft resolution and to those countries that joined in sponsoring it. We invite other delegations to do the same.

In this year's draft resolution, SADC reaffirms its commitment to enhanced cooperation with the United Nations and its related agencies, funds and programmes, as well as with development partners. We welcome continued efforts in the maintenance and strengthening of such cooperation.

The draft resolution takes note of the high prevalence of the HIV/AIDS pandemic, as well as the adverse social and economic consequences of other communicable diseases in the region, such as malaria and tuberculosis. SADC solicits stronger support and assistance from the United Nations and the international community as a whole to fight the scourge.

The draft resolution also takes note of the continued efforts of SADC countries to make Southern Africa a landmine-free zone. We reiterate our appeal to the United Nations and its related bodies, as well as to

the international community, to support and assist SADC in its efforts to rid the region of landmines.

The vulnerability of the SADC subregion to natural disasters is also highlighted in the draft resolution. In this regard, we also appeal to the international community to assist SADC in strengthening its disaster preparedness and early warning capacity.

The Southern African Development Community is convinced that, following the recent election in the Democratic Republic of the Congo, appeals to members of the international community are necessary in order to continue to contribute to the promotion of peace and stability in that country and to extend increased humanitarian, financial and other relevant forms of assistance to alleviate the suffering of the Congolese people.

The draft resolution welcomes the decision of the summit of SADC heads of State and Government that was held in Lesotho in August 2006 to convene a SADC conference on poverty and development. Members of the international community would be invited to participate in the Conference.

The draft resolution welcomes progress made by SADC towards achieving the target of 30 per cent representation of women in decision-making as well as SADC's new target of 50 per cent. Furthermore, the draft resolution takes note of SADC's commitment to launch a free trade area by 2008, and its preparations for a customs union by 2010.

Finally, let me express once again our appreciation to those countries that joined in sponsoring the draft resolution. SADC hopes that, as was the case with resolution 59/140, on cooperation between the United Nations and SADC, this year's draft resolution will also be adopted by consensus.

The following Member States have joined the list of sponsors of the draft resolution: Comoros, the Czech Republic and Honduras.

**The Acting President**: The Assembly will now take a decision on draft resolutions A/61/L.13, A/61/L.18, A/61/L.20/Rev.1, A/61/L.26, A/61/L.29 and A/61/L.37.

We turn first to draft resolution A/61/L.13, entitled "Cooperation between the United Nations and the Association of Southeast Asian Nations". I would like to announce that since the introduction of draft resolution A/61/L.13, the following countries have become sponsors: Albania, Algeria, Angola, Azerbaijan, Burkina Faso, Cape Verde, Croatia, the Czech Republic, France, Grenada, Guinea, Honduras, Iran, Jordan, Montenegro, Nauru, the Netherlands, Portugal, Slovenia, Solomon Islands, the Sudan, the former Yugoslav Republic of Macedonia, Turkey and Yemen.

May I take it that the Assembly decides to adopt draft resolution A/61/L.13?

*Draft resolution A/61/L.13 was adopted* (resolution 61/46).

**The Acting President**: We now turn to draft resolution A/61/L.18, entitled "Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization". I should like to announce that since the introduction of draft resolution A/61/L.18, the following countries have become sponsors: Andorra, Armenia, Australia, Austria, Bulgaria, Canada, Croatia, the Czech Republic, Denmark, Estonia, Finland, France, Hungary, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Lithuania, Monaco, the Netherlands, Nigeria, Norway, Poland, Portugal, Romania, the Russian Federation, San Marino, Serbia, Slovakia, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey and the United Kingdom of Great Britain and Northern Ireland.

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour*:

Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Canada, Cape Verde, Chile, China, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Grenada, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Kuwait, Latvia, Lebanon, Lesotho, Libyan Arab

Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Malta, Mauritania, Mauritius, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Morocco, Mozambique, Myanmar, Netherlands, New Zealand, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

*Against*:

United States of America

*Draft resolution A/61/L.18 was adopted by 133 votes to 1* (resolution 61/47).

[Subsequently the delegations of Albania, Bangladesh and Mexico informed the Secretariat that they had intended to vote in favour.]

**The Acting President**: We turn now to draft resolution A/61/L.20/Rev.1, entitled "Cooperation between the United Nations and the Pacific Islands Forum". I should like to announce that, since the introduction of draft resolution A/61/L.20/Rev.1, the following countries have become sponsors: Algeria, Chile, the Comoros, the Dominican Republic, Guinea, Honduras, Italy, Nepal, Saint Kitts and Nevis, Saint Vincent and the Grenadines, the former Yugoslav Republic of Macedonia and Turkey.

May I take it that the Assembly decides to adopt draft resolution A/61/L.20/Rev.1?

*Draft resolution A/61/L.20/Rev.1 was adopted* (resolution 61/48).

**The Acting President**: We turn now to draft resolution A/61/L.26, entitled "Cooperation between the United Nations and the Organization of the Islamic Conference". I should like to announce that, since the introduction of the draft resolution, the following countries have become sponsors: Brunei Darussalam, Saudi Arabia and the United Arab Emirates.

May I take it that the Assembly decides to adopt draft resolution A/61/L.26?

*Draft resolution A/61/L.26 was adopted* (resolution 61/49).

**The Acting President**: We turn now to draft resolution A/61/L.29, entitled "Cooperation between the United Nations and the Caribbean Community". I should like to announce that, since the introduction of the draft resolution, Chile has become a sponsor.

May I take it that the Assembly decides to adopt draft resolution A/61/L.29?

*Draft resolution A/61/L.29 was adopted* (resolution 61/50).

**The Acting President**: The Assembly will now take a decision on draft resolution A/61/L.37, entitled "Cooperation between the United Nations and the Southern African Development Community". I should like to announce that, since the introduction of the draft resolution, Madagascar has become a sponsor.

May I take it that the Assembly decides to adopt draft resolution A/61/L.37?

*Draft resolution A/61/L.37 was adopted* (resolution 61/51).

**The Acting President**: Before giving the floor to those representatives who wish to speak in explanation of vote or position on the draft resolutions just adopted, I remind delegations that explanations of vote or position are limited to 10 minutes and should be made by delegations from their seats.

**Mr. Jokinen** (Finland): I have the honour to speak on behalf of the European Union. The acceding countries Bulgaria and Romania, the candidate countries Croatia and the former Yugoslav Republic of Macedonia, the countries of the Stabilization and Association Process and potential candidates Montenegro and Serbia, and the European Free Trade Association countries Iceland and Liechtenstein, members of the European Economic Area, as well as Moldova, align themselves with this statement.

Although the European Union was able to join the consensus today on the draft resolution on cooperation between the United Nations and the Organization of the Islamic Conference, contained in

document A/61/L.26, we would like to make clear our views of a technical nature on one very important issue.

The European Union is consistently opposed to the inclusion in draft resolutions adopted by the United Nations of references to documents expressing political commitments or other matters of a purely internal nature that have been agreed within other organizations, whether regional, cross-regional or confessional. Such commitments have been subscribed to only by the members of those organizations. They have not been subject to a process of intergovernmental negotiation within the United Nations, and thus have no place in United Nations resolutions.

The primary objective of resolutions such as the one adopted earlier on cooperation between the United Nations and the Organization of the Islamic Conference is the reaffirmation by the wider United Nations membership of its willingness to pursue cooperation of that nature. Such cooperation cannot take place otherwise than in full adherence to the Charter of the United Nations, and the commitments expressed in such resolutions must likewise be consistent with the principles of the Charter.

It is on that basis, and on the clear understanding that the contents of the resolution create no precedent for the future, that the European Union was able to join the consensus on the resolution today.

**Mr. Beck** (Solomon Islands): Solomon Islands is a sponsor of draft resolution A/61/L.20/Rev.1, under sub-item (r) — "Cooperation between the United Nations and the Pacific Island Forum" — of agenda item 108, and sincerely thanks all of the sponsors of the draft resolution. However, we would like to explain our position on the resolution, in particular in connection with operative paragraphs 3, 4, 10 and 13.

My delegation feels that the resolution could have been broadened to conform to existing regional frameworks and the realities of developments in the region. In paragraph 3, Solomon Islands would have liked to see cooperation between the United Nations and the Forum extended and widened beyond the Secretary General of the Forum secretariat. My delegation would prefer that the United Nations be flexible enough to deal with Forum island States and development-oriented Pacific island institutions, including the Pacific Island Community and the Forum Fisheries Agency.

Solomon Islands' comments on paragraph 4 relate to development in context. Only last week it was reported that the Pacific is not likely to meet its Millennium Development Goals. My delegation would have liked to see stronger development-oriented language consistent with the 2005 World Summit Outcome Document and the Pacific Plan's four pillars: economic growth, sustainable development, governance and security. However, governance and security have taken prominence. As stated by Solomon Islands in its national statement during the general debate, its concern is that the United Nations has conducted eight workshops in the Pacific region — all on governance and security, and none on development.

With regard to paragraph 10, the Regional Assistance Mission to Solomon Islands has contributed to peace and stability in Solomon Islands. It is an excellent regional mechanism. However, like all new concepts, it has its own teething problems and needs fine-tuning. In this regard, Pacific leaders, at their recent meeting in October, called for its review, with a view to strengthening partnership between the Solomon Islands Government and its people. That development, however, was omitted from the draft resolution.

On paragraph 13, my delegation would have liked to see the United Nations not restricted to carrying out joint regional cooperative needs assessment missions, but open to carrying out independent missions where appropriate, especially in response to requests by Member States, in the areas of peacebuilding, development and other economic and social challenges. We must, as far as we can, not allow problems to grow but, where possible, resolve them, especially when they are beyond reach of regional efforts.

Solomon Islands assures the Assembly that it attaches great importance to the resolution. Its comments do not affect its association with the rest of the text of the resolution. My delegation would like to conclude by assuring the Assembly of its support for closer cooperation between the United Nations and the Pacific region.

**The Acting President**: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-items (c), (e), (q), (r), (s) and (t) of agenda item 108?

*It was so decided.*

**Agenda item 43 (*continued*)**

**Return or restitution of cultural property to the countries of origin**

**Draft resolution (A/61/L.15/Rev.1)**

**The Acting President**: Members will recall that the Assembly held a debate under this agenda item at its 47th plenary meeting, on 3 November 2006.

I now give the floor to the representative of the Secretariat.

**Mr. Botnaru** (Chief, General Assembly Affairs Branch): In connection with draft resolution A/61/L.15/Rev.1, I wish to inform members of a small correction to operative paragraph 16. In the last line of operative paragraph 16, the word "non-binding" should be inserted before the words "standard-setting instrument".

Paragraph 16 should thus now read as follows,

> "Notes the decision taken by the General Conference of the United Nations Educational, Scientific and Cultural Organization in its resolution 33 C/45 of 20 October 2005 that the subject of cultural objects displaced in connection with the Second World War should be the subject of a non-binding standard-setting instrument."

**The Acting President**: The Assembly will now take a decision on draft resolution A/61/L.15/Rev.1, as orally corrected.

I should like to announce that since the introduction of draft resolution A/61/L.15/Rev.1, the following countries have become sponsors: Algeria, Angola, Belarus, Bolivia, Bulgaria, Canada, the Central African Republic, Croatia, the Democratic Republic of the Congo, Djibouti, Gabon, Georgia, Guinea, Honduras, Hungary, Iceland, Indonesia, Kuwait, the Libyan Arab Jamahiriya, Moldova, Nicaragua, Pakistan, the Republic of Korea, Serbia, Spain, the former Yugoslav Republic of Macedonia, Tunisia, Ukraine and Yemen.

May I take it that the Assembly decides to adopt draft resolution A/61/L.15/Rev.1, as orally corrected?

> *Draft resolution A/61/L.15/Rev.1, as orally corrected, was adopted* (resolution 61/52).

**The Acting President**: Before giving the floor to the representative of the Russian Federation, who wishes to speak explanation of position on the resolution just adopted, may I remind delegations that explanations of vote or position are limited to 10 minutes and should be made by delegations from their seats.

**Mr. Kuzmin** (Russian Federation) (*spoke in Russian*): The Russian Federation attaches great importance to the efforts of the international community to preserve cultural property. We note the leading role of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in this field. But now we would like to convey to the members of the General Assembly our understanding of operative paragraph 16 of the draft resolution.

The Russian Federation believes that the reference therein to resolution 33 C/45 of the General Conference of UNESCO of 20 October 2005, on the subject of cultural objects displaced in connection with the Second World War, does not contain any judgment on the part of the General Assembly on that decision and does not predetermine the final outcome of UNESCO's work.

We call upon the intergovernmental organs of UNESCO to carefully go into the details of this issue and to take the best possible decision in the light of national legislation and the practice of States, bearing in mind also both the positive and the negative consequences of attempts to universalize this problem.

**The Acting President**: We have heard the only speaker in explanation of vote. I now give the floor to His Excellency Mr. George Voulgarakis, Minister of Culture of Greece.

**Mr. Voulgarakis** (Greece): I am grateful for the opportunity to address the General Assembly for the purpose of expressing the sincere thanks and gratitude of my Government for the unanimous adoption of the draft resolution on the "Return or restitution of cultural property to the countries of origin". The adoption by consensus of the draft resolution and its sponsorship by a great number of delegations clearly manifest its importance to the international community and the clear intention of all of us to promote bilateral and multilateral cooperation for resolving outstanding issues.

At the core of the efforts towards the protection of cultural heritage lies the consistent and hard work of the United Nations Educational, Scientific and Cultural

Organization (UNESCO). At this point, I would like to express the appreciation of my Government to the Director-General, Mr. Koichiro Matsuura, for his work.

Illegal trading in antiquities falls into the same category as the illegal trade in arms or drugs or trafficking in human beings. It constitutes a form of organized crime directly associated with money-laundering and corruption. It is a crime committed against every one of us. It is not directed only against those nations whose cultural heritage is looted, but against the whole of mankind.

With the destruction of monuments, vital information is lost. Art works are deprived of their natural historical context and are reduced to simple objects of ornament. They are neutralized. They cease to exist as integral elements of cultural unity. They no longer testify as to our origins and identities.

Humankind, deprived of its cultural identity, is destitute. Cut off from its natural cultural habitat, humankind is unable to understand phenomena relating to its progressive development.

Yet, in recent years, a new wind of optimism has appeared on the horizon. Increasingly, museums recognize the moral obligation to conform with ethical codes in their acquisition policies. In the international scientific community, including archaeologists, voices have been raised for the protection of cultural heritage worldwide. Demands have been expressed that the looting of archaeological sites and the illicit trafficking in antiquities must stop. New strict laws are being passed; recently, Switzerland and Great Britain have begun moving in this direction. Finally, international public opinion and public sentiment have alerted the press, especially after the destruction of monuments and archaeological sites in Afghanistan and Iraq.

This necessity is reflected and embodied in today's resolution. Greece took the initiative for the proposal of this resolution in an effort to signify the important need for the protection of cultural heritage. It reflects initiatives set forth on the national level through treaties, conventions and the policies of UNESCO.

It promotes cooperation between nations of the United Nations and UNESCO with the aim to preserve the cultural heritage of humankind in the timeless humanitarian values it represents. It provides for the return and the restitution of cultural treasures illegally removed from their place of origin.

In this era of globalization, it is important for nations to be able to preserve their historical cultural identity. It is obvious that this cooperation and cultural exchange should be based on moral principle and ethical codes of conduct.

Greece, in cooperation with other nations and institutions, has to date successfully retrieved a number of antiquities exiled abroad. Recently, two important antiquities held by the J. Paul Getty Museum in Los Angeles were repatriated, while negotiations for the return of two more items from that museum are currently in progress. In addition, two important fragments from the Acropolis — one from the Parthenon frieze — have been returned. I would like to thank Heidelberg University for that gesture as well as the Swedish collector involved. They both realized the need for the reunification of the parts of one of the most important cultural sites in the world. Those returns confirm the need for the preservation of that monument, which, of course, is in Greece, but belongs to the world as a whole.

The Parthenon sculptures remain dispersed and divided. The uniqueness of the Parthenon, as a monumental symbol of Western civilization, is the critical argument for the return of its parts, and the demand for their return is ecumenical. Now that the construction of the new Acropolis museum is almost complete, it is our ambition that the new museum shelter all extant parts of the Parthenon, and it is expected to include the sculptures we claim must be returned by the British Museum.

The reunification and restitution of antiquities serves to complete a cultural mosaic which has been disrupted and lies today in disarray. The image presented by that mosaic, owing to the plundering of some of its integral parts, has become distorted and misleading — even traumatic. By protecting the cultural heritage of each nation, we will be providing a solid foundation not just for the present but also for posterity and for future generations. The cultural heritage of each nation is, of course, the cultural heritage of humankind, and all humankind must respond to this responsibility to protect that legacy.

**The Acting President**: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 43?

*It was so decided.*

**Agenda item 46**

**Follow-up to the outcome of the twenty-sixth special session: Implementation of the Declaration of Commitment on HIV/AIDS**

**Draft decision (A/61/L.40)**

**The Acting President**: The Assembly will now take action on draft decision A/61/L.40, entitled "International Voluntary HIV Counselling and Testing Day".

I should like to announce that, since the introduction of draft decision A/61/L.40, the following countries have become sponsors of the draft: Barbados, Cambodia, Comoros, Ethiopia, Fiji, Georgia, Grenada, Honduras, Israel, Kenya, Lesotho, Madagascar, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, the former Yugoslav Republic of Macedonia, Uganda and Viet Nam.

May I take it that the Assembly decides to adopt draft decision A/61/L.40?

*The draft decision was adopted.*

**The Acting President**: I shall now give the floor to those representatives wishing to make statements in explanation of position on the decision just adopted.

May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

**Mr. Tarragô** (Brazil) (*spoke in Spanish*): I have the honour to speak on behalf of the member States of MERCOSUR, namely Argentina, Paraguay, Uruguay, Venezuela and Brazil, and the associated States Bolivia, Chile, Colombia, Ecuador and Peru.

I am taking the floor to make a statement in explanation of position on behalf of MERCOSUR and associated States following the adoption of draft decision A/61/L.40, entitled "International Voluntary HIV Counselling and Testing Day".

MERCOSUR and associated States believe that combating HIV/AIDS requires broad-based and coordinated policies aimed at attaining, by 2010, universal access to prevention, treatment, care and support. In that regard, MERCOSUR and associated States promote regular voluntary testing campaigns, in accordance with their respective public programmes, epidemiological status and specific needs.

I should like to thank the main sponsor of the draft for having promoted discussion on voluntary counselling and testing, although we would have welcomed the submission of this important document to all States Members of the United Nations for open consultations. We are of the view that the decision just adopted provides us with an important opportunity to engage in a discussion on national counselling and testing strategies. Such strategies must encompass full respect for the human rights of the individuals undergoing testing and must be integrated into plans to combat the stigmatization and discrimination associated with HIV/AIDS, with a particular focus on stigmatized vulnerable groups, such as sexual minority groups.

In addition, States must ensure confidentiality with respect to test results so as to prevent discrimination. MERCOSUR and associated States believe that every effort should be made to ensure that people do not confuse testing with prevention and to make it clear that a negative HIV/AIDS status is not permanent. Moreover, the success of national voluntary testing campaigns will be gauged on the basis of countries' ability to guarantee persons living with HIV/AIDS universal access to treatment and to medication.

The national programmes of MERCOSUR and associated States are based on a policy of providing universal treatment and of ensuring access to medicines to all those who require them.

MERCOSUR and associated States joined the consensus on the draft decision on the understanding that countries have total flexibility in implementing their respective voluntary counselling and testing strategies in the framework of their national policies and action plans, including, as appropriate, the choice of whether or not to designate an International Voluntary HIV Counselling and Testing Day in 2007, as well as the manner in which to observe it.

MERCOSUR and associated States consider that this decision anticipates the debate on agenda item 46, scheduled for the first half of 2007, at which time the issue of voluntary counselling and testing will be considered comprehensively and in depth, with the participation of all States Members of the United Nations.

**Mrs. Ghanashyam** (India): I take the floor to explain India's position following the adoption of decision A/61/L.40, entitled "International Voluntary HIV Counselling and Testing Day".

My delegation has joined the consensus on the adoption of the draft decision on International Voluntary HIV Counselling and Testing Day. It is our understanding that, in calling on Member States, the decision leaves the option open to each Member State whether or not to designate a Voluntary HIV Counselling and Testing Day in 2007.

**Ms. Davies** (Australia): We are delivering this statement also on behalf of Canada, Japan and Norway.

We wish to note that our interpretation of the decision just adopted is that it invites Member States to consider designating a voluntary HIV/AIDS counselling and testing day, consistent with appropriate national HIV/AIDS strategies. We remain committed to a comprehensive HIV response and to supporting countries in combating the HIV/AIDS pandemic.

**The Acting President**: The General Assembly has thus concluded this stage of its consideration of agenda item 46.

**Organization of work**

**The Acting President**: I should like now to consult members regarding an extension of the work of the Second Committee. Members will recall that, at its 2nd plenary meeting, on 13 September 2006, the General Assembly approved the recommendation of the General Committee that the Second Committee would complete its work by Friday, 1 December 2006. However, the President of the Assembly has been informed by the Chairperson of the Second Committee that the Committee was not able to finish its work by Friday, 1 December. It is my understanding that the Committee will need to meet until Wednesday, 6 December 2006.

May I, therefore, take it that the General Assembly agrees to extend the work of the Second Committee until Wednesday, 6 December 2006?

There being no objection, it is so decided.

I would also like to inform members that consideration of agenda item 27, "Protracted conflicts in the GUAM area and their implications for international peace, security and development", scheduled for Thursday, 7 December 2006, has been postponed to a later date to be announced.

*The meeting rose at 4.20 p.m.*